UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOSE CESAR CAMACHO,

Petitioner,

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JOE LOMBARDO,

Respondent.

Case No.: 2:18-cv-1263-APG-NJK

Order

[ECF Nos. 4, 6, 7]

I previously issued an order for petitioner Camacho to show cause why his petition should not be dismissed as unexhausted and pursuant to the Younger abstention doctrine. ECF 10 No. 4. After obtaining an extension of time to respond to my order (ECF No. 7), Camacho has failed to respond. Accordingly, this action will be dismissed without prejudice as both unexhausted and pursuant to Younger.

Both the petition and the Eighth Judicial District Court docket reflect that Camacho is a pretrial detainee. Camacho has not shown that he has exhausted his claims in this action. Braden 15 v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484, 489-92 (1973); Carden v. Montana, 16 626 F.2d 82, 83 (9th Cir. 1980). Nor has he shown extraordinary circumstances justifying this court's interference with his ongoing state criminal proceedings. Younger v. Harris, 401 U.S. 37 (1971). Thus, I will dismiss this action. 18

IT IS THEREFORE ORDERED that that this action is dismissed without prejudice.

IT IS FURTHER ORDERED, pursuant to Rule 4 of the Rules Governing Section 2254 Cases, that the Clerk shall make informal electronic service upon respondents by adding Nevada Attorney General Adam P. Laxalt as counsel for respondents and directing a notice of electronic

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1 filing of this order to his office. No response is required from respondents other than to respond 2 to any orders of a reviewing court. IT IS FURTHER ORDERED that the petitioner is denied a certificate of appealability, as 4 jurists of reason would not find the dismissal of the petition to be debatable or wrong. IT IS FURTHER ORDERED that the Clerk of the Court shall enter final judgment 6 accordingly and close this case. Dated: October 18, 2018. UNITED STATES DISTRICT JUDGE